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Attorneys for Defendant
BRIT UW LIMITED
(sued as "Certain Underwriters at Lloyd's
Under Policy No. B0146LDUSA701030")

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM AMBROSIO, et al.,

Plaintiffs,

v.

**CERTAIN UNDERWRITERS AT LLOYD'S
UNDER POLICY NO.
B0146LDUSA0701030 and DOES 1 through
100, inclusive,**

Defendants.

CASE NO. 3:11-cv-04956-RS

**JOINT STIPULATION (1) TO RELATE
CASES PURSUANT TO CIVIL L.R. 3-12,
AND (2) FOR ORDER ESTABLISHING
BRIEFING SCHEDULE AND HEARING
DATE RELATING TO DEFENDANTS'
MOTIONS TO DISMISS AND MOTIONS
TO STRIKE**

MICHAEL ALVARADO, et al.,

Plaintiffs,

v.

**CERTAIN UNDERWRITERS AT
LLOYD'S UNDER POLICY NO.
B0146LDUSA0701030, and DOES 1-100,
inclusive,**

Defendants.

CASE NO. 3:11-cv-04957-RS

WILLIAM JAMISON, *et al.*,

CASE NO. 3:11-cv-04958-RS

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
UNDER POLICY NO.
B0146LDUSA0701030 and DOES 1 through
100, inclusive,

Defendants.

WOOD RIVER CAPITAL RESOURCES,
LLC, *et al.*,

CASE NO. 3:11-cv-5759-MEJ

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
UNDER POLICY NO.
B0146LDUSA0701030 and DOES 1 through
100,

Defendants.

HENRY JAMES ANDERSON, *et al.*

CASE NO. 3:11-cv-5760-EDL

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
UNDER POLICY NO.
B0146LDUSA0701030 and DOES 1 through
100, inclusive,

Defendants.

ROSEVILLE CAPITAL RESOURCES,
LLC; *et al.*,

CASE NO. 4:11-cv-5761-DMR

Plaintiffs,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
UNDER POLICY NO.
B0146LDUSA0701030 and DOES 1 through
100, inclusive,

Defendants.

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JOINT STIPULATION (1) TO RELATE CASES PURSUANT TO L.R. 3-12, AND (2) FOR AN ORDER ESTABLISHING
BRIEFING SCHEDULE AND HEARING DATE FOR DEFENDANTS' MOTIONS TO DISMISS AND STRIKE

3:11-cv-04956-RS

SF/2635722v1

1 Plaintiffs William Ambrosio, *et al.*, Case Number 3:11-cv-04956-RS, by and through
2 their counsel of record, George Donaldson, Esq. from the Law Office of George Donaldson;

3 Plaintiffs Michael Alvarado, *et al.*, Case Number 3:11-cv-04957-RS, by and through their
4 counsel of record, Jeffrey A. Feldman, Esq. from the Law Offices of Jeffrey A. Feldman;

5 Plaintiffs William Jamison, *et al.*, Case Number 3:11-cv-04958-RS, by and through their
6 counsel of record, Val Hornstein, Esq. from the Hornstein Law Offices;

7 Plaintiffs Wood River Capital Resources, LLC, *et al.*, Case Number 3:11-cv-05759-MEJ,
8 by and through their counsel of record, Jeffery J. Swanson, Esq. from the Law Offices of Jeffery
9 J. Swanson;

10 Plaintiffs Henry James Anderson, *et al.*, Case Number 3:11-cv-5760-EDL, by and
11 through their counsel of record, Richard S. Miller, Esq. from the Law Offices of Richard S.
12 Miller;

13 Plaintiffs Roseville Capital Resources, LLC, *et al.*, Case Number 4:11-cv-5761-DMR, by
14 and through their counsel of record, Troy A. Thielemann, Esq. from Cappello & Noel LLP; and

15 Defendant Brit UW Limited (“Brit”), Case Numbers 3:11-cv-04956-RS; 3:11-cv-04957-
16 RS; 3:11-cv-04958-RS; 3:11-cv-05759-MEJ; 3:11-cv-5760-EDL; and 4:11-cv-5761-DMR, by
17 and through its counsel of record, Michael L. Fox, Esq. of Sedgwick LLP, hereby stipulate as
18 follows:

19 The three actions filed by Plaintiffs William Ambrosio, *et al.*, Michael Alvarado, *et al.*,
20 and William Jamison, *et al.* (collectively “the Related Cases”) have been deemed related and are
21 pending before the Honorable Richard Seeborg because all three concern substantially the same
22 parties, events and request for relief, so assignment to separate judges would have involved
23 unnecessary duplication of labor, cost and conflicting results. (ECF No. 13 in Case No. 3:11-cv-
24 04956-RS.)

25 Similarly, the three actions filed by Plaintiffs Wood River Capital Resources, LLC, *et al.*,
26 Henry James Anderson, *et al.*, and Roseville Capital Resources, LLC, *et al.* (collectively “the
27 New Cases”) were removed to the Northern District of California on November 30, 2011. All
28

1 three of the New Cases concern substantially the same parties, events and request for relief as
2 each of the other New Cases and the Related Cases. Therefore, assignment to separate judges
3 would involve unnecessary duplication of labor, cost and conflicting results.

4 Therefore, the parties, by and through their counsel of record, stipulate that the New
5 Cases should be related to each other and to the Related Cases, with the earliest filed case,
6 pursuant to Civil L.R. 3-12.

7 Brit has already filed Motions to Dismiss pursuant to Federal Rule of Civil Procedure
8 12(b)(6) and Motions to Strike pursuant to Federal Rule of Civil Procedure 12(f) in the Related
9 Cases, and those motions are currently set for hearing on January 5, 2012, at 1:30 p.m. (ECF No.
10 15 in Case No. 3:11-cv-04956-RS.) Brit anticipates filing similar motions in the New Cases no
11 later than December 7, 2011.

12 Plaintiffs and Brit desire to establish a single hearing date relating to Defendants'
13 Motions to Dismiss and Motions to Strike filed in the New Cases and the Related Cases, and to
14 establish a revised briefing schedule relating thereto, including the filing of coordinated and/or
15 joint opposition papers by Plaintiffs, to the extent possible, in order to eliminate unnecessary
16 duplication of labor and cost. The Court previously modified the briefing schedule and hearing
17 date in the Related Cases (ECF No. 15 in Case No. 3:11-cv-04956-RS), but further modification
18 should have no effect on the schedule for the cases.

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Therefore, the parties, by and through their counsel of record, further stipulate, subject to the Court's approval, that (1) Brit shall file its Motions to Dismiss and Motions to Strike in the New Cases no later than December 7, 2011; (2) the hearing for the Motions to Dismiss and the Motions to Strike filed in the six cases will be scheduled for February 2, 2012, at 1:30 p.m.; (3) Plaintiffs' opposition papers to Brit's motions will be due January 3, 2012; and (4); and Brit's reply papers will be due January 17, 2012.

IT SO STIPULATED.

DATED: December 2, 2011

SEDGWICK LLP

By: /s/ Michael L. Fox

Michael L. Fox
Attorneys for Defendant
BRIT UW LIMITED
(sued as "Certain Underwriters at Lloyd's
Under Policy No. B0146LDUSA701030")

DATED: December 2, 2011

Law Office of George Donaldson

By: /s/ George Donaldson

George Donaldson
Attorneys for Plaintiffs
William Ambrosio, *et al.*,
Case No. 3:11-cv-04956-RS

DATED: December 2, 2011

Hornstein Law Offices

By: /s/ Val Hornstein

Val Hornstein
Attorneys for Plaintiffs
William Jamison, *et al.*,
Case No. 3:11-cv-04958-RS

DATED: December 2, 2011

Law Offices of Jeffrey A. Feldman

By: /s/ Jeffrey A. Feldman

Jeffrey A. Feldman
Attorneys for Plaintiffs
Michael Alvarado, *et al.*,
Case No. 3:11-cv-04957-RS

1 DATED: December 2, 2011

Law Offices of Jeffery J. Swanson

2 By: /s/ Jeffery J. Swanson

3 Jeffery J. Swanson

4 Attorneys for Plaintiffs

Wood River Capital Resources, LLC, *et al.*,

Case Number 3:11-cv-05759-MEJ

5
6 DATED: December 3, 2011

Law Offices of Richard S. Miller

7 By: /s/ Richard S. Miller

8 Richard S. Miller

9 Attorneys for Plaintiffs

Henry James Anderson, *et al.*,

Case No. 3:11-cv-5760-EDL

10 DATED: December 2, 2011

Cappello & Noel LLP

11 By: /s/ Troy A. Thielemann

12 Troy A. Thielemann

13 Attorneys for Plaintiffs

14 Roseville Capital Resources, LLC, *et al.*,

Case No. 4:11-cv-5761-DMR

15 PURSUANT TO STIPULATION, IT IS SO ORDERED

16 DATED: December 7, 2011

17 By: 

18 The Honorable Richard Seeberg

19 U.S. District Judge, Northern District of California